

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1396 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

JAYANTKUMAR KANTILAL PANDYA

Versus

GAJENDRABHAI SUKHLAL PATEL

Appearance:

MR AD PADIVAL for Petitioner

MR TS NANAVATI for Respondent No. 1

NOTICE NOT RECD BACK for Respondent No. 6

MR. AG URAIZEE, LD. APP with MR. MR ANAND, LD. PP. for Respondent no.12.

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 09/07/96

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. AG Uraizee,
Ld. APP with Mr. MR Anand, Ld. PP for respondent no.12-
State and Mr. TS Nanavati, L.A. for respondent no.1.

Permitted to delete prayers 17(c), (d) and (e).

Heard Mr. Nanavati, L.A. for the respondent no.1.
Mr. AG Uraizee, Ld. APP submits on instructions that there is a division of CID Crime stationed at Mehsana. He further submits that there cannot be any objection for entrusting the inquiry Case Nos. 9/96 and 10/96. The matter is pending before the Ld. J.M.F.C. Vadnagar for taking decision on application Exh. 5 dated 26/2/1996 moved by the Dy.S.P., Mehsana. Hence, as a matter of fact there is no dispute with regard to entrustment of the aforesaid inquiry to the C.I.D. Crime, Division Mehsana. Since there is no grievance made against the Ld. Magistrate, it would be just and proper to leave the matter to the learned Magistrate for issuing appropriate direction on application Exh.5 dated 26/2/1996 bearing in mind the observations made in this order. It is expected that the learned Magistrate passes an appropriate order immediately upon receipt of writ of this order. Nothing further survives in this petition.

Subject to aforesaid direction rule is discharged. D.S.P.